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ABSTRACT

This self-study guide is intended to help in understanding issues of ethnicity in special education in the context of increasing interest by the federal Office for Civil Rights in the overrepresentation of minority students, especially black students, in special education classes. Part 1 provides a brief overview of the topic of disproportionate representation of minority students in special education and stresses the importance of carefully reviewing each local situation to determine reasons for apparent disparities. Part 2 offers specific suggestions on what information to gather, how to analyze it, and how to remedy problems. Guidelines are also offered for the analysis of statistical data and for review of the district's policies and procedures in five areas: general education intervention, referral, evaluation, placement, and procedural safeguards. Appended are specific directions for statistical computation of disproportionate representation of minority students in special education, a checklist for review of the five procedural areas, and a form for determining minority representation in special education by building. (Contains 25 references.) (DB)

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Ethnicity in Special Education: A Self-Study Guide

October 1997

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Preface

America's racial profile is rapidly changing. Between 1980 and 1990, the rate of increase for white Americans was 6 percent, while the rate of increase for racial and ethnic minorities was substantially higher: 13.2 percent for African -Americans, 53 percent for Hispanics and 107.8 percent for Asians. By the year 2000, nearly one of every three persons in this country will be either African-American, Hispanic, Asian or American Indian. Taken together as a group, minority children comprise an even larger percent of the school community. (IDEA 1997) These changing demongraphics make it imperative that educators be responsive to the growing needs of an increasingly more diverse society.

In many communities, more minority children continue to be served in special education than would be expected from the percent of minority students in the general school population. Nationwide, studies by the federal government suggest that African-American students are 3.5 times as likely to be in special education programs as white children. Even higher rates often exist in predominately white districts. The federal Office for Civil Rights (OCR) has announced that greater attention will be devoted to minority over-representation in special education classes in the public schools. In compliance reviews of school districts' implementation of the nondiscrimination requirements of federal statutes and regulations OCR will monitor this issue. Overall, OCR's concerns about special education are captured well in this quote:

> The more special education becomes **not** a place, but an educational process, the less interested we will be from a civil rights perspective. In many places special education has become a segregated setting, without access to quality, high standards of education. Our interest will fade when special education and regular education have gotten together, and are all about the same thing, which is high standards education.(Urban Special Education Leadership Collaborative, 1995)

Examples of discrimination frequently identified in OCR compliance reviews have been:

1. Minority students placed in more restrictive placements than their non-minority peers.

2. The use of IQ scores as the de facto sole instrument for determining eligibility of minority students, in contrast to full multi-factored assessment administered to non-minority students.

3. Inconsistent application of pre-referral strategies on the basis of race.

The increased scrutiny by OCR has created greater awareness among educators about the proportion of minority representation in special education. During the past decade, more Iowa educators have noticed a steady increase in the diversity of their student bodies. The Iowa Department of Education reports that the number of minority students in Iowa schools has risen from 4.6% in 1985 to 7.3% in 1995. In Iowa communities where school enrollment exceeds 7500, minority percentages average 18.50. Several smaller communities have experienced an increase of 200% in minority enrollment. New challenges have come with this added diversity. Although Iowa's' urban districts have given considerable thought to equity issues since the late 70's, many smaller communities have yet to address the issue. As increased numbers of minority families continue to enter the state to begin a new life, Iowa educators must determine if disproportionate representation of minorities in special education exists, and if so, study the reason and implications. Special care must be taken to see that such things as language, environmental deprivation and socio-economic status are not the underlying basis for placement into special education.

The concern of local educators can generally be stated quite simply, "Do we have a problem?" and if so, "What should be done about it?" This paper is devoted to answering those questions as well as developing a heightened awareness of the unique educational needs of different groups of minority students. Persons seeking to explore this topic further will find the companion paper, *Disproportionate Minority Representation in General and Special Education Programs: Patterns, Issues, and Alternatives,* provides an in-depth review of the legal, ethical and educational issues surrounding this topic. It will serve as an excellent resource for those wanting a more extensive discussion. It is available from the Mountain Plains Regional Resource Center at Drake University; phone number 515-271-3936.

This document is comprised of two parts. Part I provides a brief overview of the topic of disproportionate representation of minority students in special education. For those interested in examining the minority representation within a district special education program, Part II offers specific suggestions on what information to gather, how to analyze it and, when appropriate, how to remedy problems. The primary audiences for this paper are LEA directors of special education, building administrators, special education instructional and support staff, ancillary support staff, district policy makers and other local decision makers.

Although the focus of this self-study guide is ethnicity in "special education,"

the format and many of the concepts put forth are relevant to many aspects of educational programming. With only minimal revisions, the guide can be used to determine whether disproportionate representation exists in any educational program or service found int he district; i.e. gifted and talented, school to work, and a variety of extra curricular activities.

Ethnicity in Special Education

Part I

A Brief Examination of Disproportionate Representation of Minority Students in Special Education

For the past 20 years, Office of Civil Rights (OCR) studies conducted in public school districts across the U.S. have shown that minority children are frequently disproportionately represented in programs for learning disabled students, severely emotionally or behaviorally disordered students and mentally disabled students. Some of these studies are highlighted in the U.S. Department of Education's 1996 document entitled "Profile, Assessment, and Resolution Reviews" and will be referred to later. Although the terms "over represented" and "under represented" are frequently found in the literature, for the purposes of this paper, the term "disproportionate representation" will be used as it encompasses both of these concepts.

A review of special education literature reveals that although considerable time and energy have been focused on the issue of disproportionate representation over the past decade, efforts to ameliorate the problem have not met with great success. In a special paper devoted to the topic, "Profile, Assessment, and Resolution Reviews", the U.S. Department of Education cites two studies conducted by the federal government as prime examples of the problem. The first study revealed that in 1975, 15% of the nation's students were African-American. During that year 38% of the students identified as mentally disabled were African-American. A similar study conducted in 1991 revealed that 16% of the nation's students were African-American and that 35% of those identified as mildly mentally disabled were African-American.

In recent years, there has been an important change in the composition of the socio-cultural groups represented in special education. Today, we know that "over-representation" is largely a phenomenon experienced by African-American children and youth and, to a lesser extent, Native American Indian children and youth, while Hispanic and Asian-American children and youth are often under-represented in special education. Although this pattern may have existed in the late 1970s, it was not recognized until later in the 1980s. Sociologists and special educators continue to have difficulty agreeing on why these disproportionate levels continue to be found.

Unanswered questions continue to draw attention to the issues of the quality of general education programming and the efficacy of special education interventions. Not everyone in education is convinced that

all minority students "eligible" for special education services are best served in special education. A growing number of educators believe that disproportionate representation is actually a subtle form of discrimination. They contend that for nearly two decades Congress has unwittingly participated in creating disproportionate representation in schools by the very act of setting up a system that provides extra money for smaller classes and special assistance for children with a variety of disabilities.

Some black educators assert that the nation's complex special education system has ensured a segregated second class education for as many as two thirds of the country's special education minority students. They content that many minority students are often identified and labeled mentally or emotionally disabled when in fact their problems are due in large meausre to limited educational stimulation, lack of exposure to "standard language," different learning styles, poor nutrition, poverty, exposure to drugs and low expectations. At the heart of this issue, they believe, is compelling evidence that African-American and Hispanic students are more often harmed, not helped, by special education. Studies by the federal government show that some of those same students perform better in regular classes with extra support. Perhaps Secretary of Education Richard S. Riley stated these concerns best when, in his State of Education address, he asked,

> Could it be that in our attempt to do good, offering pull-out programs and over-labeling students into special education classes, we have contributed in some significant way to a sense of classification and racial stereotyping that tells these young people early that they will not make it in life - so why even try? (Riley, 1994).

Other educators challenge this position and point to the fact that children participating in special education programs have many educational advantages. They note that special education programs provide much lower student/teacher ratios, expend significantly more dollars per pupil, and provide a whole range of legal safeguards unavailable to other students. Furthermore, these students receive individualized programs from a teacher with specialized training. Their question is, "Given these desirable characteristics, why have states and districts been sued and enjoined by the courts on the basis of disproportionate minority representation when these programs provide greater educational opportunity for those who qualify?" Perhaps part of the misgivings expressed by resistant minority parents lies in the fact that unlike students enrolled in other compensatory or enrichment programs, children receiving special education services must first be labeled as "disabled."

While the debate continues, one thing is clear. Limited understanding and/or acceptance of cultural diversity within the education community often confuses or impedes the ability of the school to work effectively with students and families. It is incumbent upon all those who believe that special education provides needed services for children with unique needs, whether minority or not, to continue to study the issue of disproportionate representation. If through our personal examinations we find that disproportionate representation is caused by disparate treatment of minority groups rather than the culmination of decisions made about individual children, or that poverty plays an unwitting role in the identification of such children, then we must question the efficacy of special education programming for those students. Only by studying this issue thoroughly can this be accomplished.

Even though federal and state laws require districts to take care to ensure that students are not placed into special education programs on the basis of their race or national origin, there is no federal requirement to collect special education enrollment data by race/ethnicity. When attempting to study the issue of disproportionate representation, data which presents a broad national perspective is difficult to obtain. Consequently, comparison of existing data from state to state is difficult because no agreed upon standard or formula for computing disproportionate representation exists. Only slightly over 60% of the states report the collection of some sort of data. This lack of consistent criteria and limited data collection has hindered the examination of disproportionate representation on a national basis.

Those who collect demographic information on student ethnicity recognize that the use of racial and ethnic designations has become more complex as many families have become heterogeneous and are comprised of a patchwork of multi-racial and multi-cultural backgrounds. The present attempt to use the "clear cut" designations of White/not Hispanic, Black/not Hispanic, Asian/ Pacific Islander, Hispanic or American Indian/Alaska Native are therefore delimiting, inaccurate and misleading as parents are forced to declare one part of their heritage and reject another. In a recent appearance on the Oprah Winfrey Show, golf phenomenon, Tiger Woods, addressed this concern. He stated that it would be a "mistake" to characterize him simply as black. Woods, who is 1/8 Caucasian, 1/4 black, 1/8 American Indian, 1/4 Thai and 1/4 Chinese, said he prefers to be referred to as "Cablenasian." The term, which he coined when growing up, is a blend of Caucasian, Black, Indian and Asian. Because the declaration of race has long term implications for many families and students, parents are often reluctant to provide it. For some, the term "minority" has simply come to refer to any non-white ethnic racial group. It is

interesting that "minority students" will constitute the majority in many of our larger states by 2010.

Although a topic of discussion for several years, Iowa is just beginning to collect data on minority enrollment in special education. Information collected to date consists primarily of limited statistics on the racial/ethnic composition which was gathered for another purpose–monitoring desegregation in urban districts. Generally, Iowa information regarding minorities in special education has been confined to the states' urban districts where issues of equity seem to abound. Recently many communities across the country have experienced an influx of "new minorities" in the form of immigrant, migrant and refugee famliies. In Des Moines, Iowa, new arrivals have come from 28 countries. Many have experienced massive political, social, cultural and economic change. When added to the barrier of language, these issues make inclusion into traditional education programs difficult. Great care must be taken to see that these "new minorities" are not placed into special education unless they are truly disabled. These families have had a significant impact on rural communities. The Department of Education has begun to ask a greater number of smaller districts across the state to report minority information when they appeared to be experiencing "problems with desegregation." Care must be taken to ensure that these rural communities do not experience disproportionate numbers of minority students in special education. While these numbers may appear small to some, they are significant to those involved.

Finding that a district has a disproportionate representation of minority students in some part of its special education programs does not automatically mean that a problem exists. Under the concept of equal treatment, disproportionate classification and placement outcomes are acceptable as long as the **same** decision-making procedures are applied for minority and non-minority children. For an expanded discussion of this topic see the companion paper to this doument titled *Disproportionate Minority Representation in General and Special Education: Patterns, Issues, and Alternatives* (p. 79) Although no constitutional prohibition exists against an assignment of individual students to particular schools on the basis of intelligence, achievement or other aptitudes (when a program is uniformly administered), race may never be a factor in making assignments. That would be a clear violation of the law.

In some instances, a careful review of the situation may reveal a logical and/ or legitimate reason for apparent disparity. For example, a school district might discover that Asian students are "under represented" in its special education programs. Upon further examination it may be revealed that the majority of the district's Asian students are newly arrived refugees and are being provided special services

through the ESL/LEP program. In this case the disparity would be logical and a good alternative for all involved. Hence, the perceived problem of under-representation would not be a problem. Without thoughtful review, one might easily have assumed that school personnel tended to view their Asian students as "model minorities" and as such, overlooked them as viable candidates for special programs. For this reason, it is important that all demographic information be carefully disaggregated and analyzed before conclusions are drawn.

During the same period when districts have developed a variety of special programs to help children with unique educational needs, it is interesting to note that over-representation in compensatory education programs such as Chapter I, Head Start and Follow Through, which focus on improving the educational achievement of economically disadvantaged students, is viewed differently from over-representation in special education. It would seem that OCR views some compensatory education programs as providing vital opportunities while special education programs are viewed as stigmatizing and ineffective. Addressing the effectiveness of special education is one of the key components in resolving the issues associated with disproportionate minority representation in special education.

Part II

Conducting a Self Evaluation

Perhaps the two most significant challenges for a district are determining what information is needed to complete a comprehensive review and how to analyze it. In most districts gathering and analyzing minority enrollment data on the district's special education population is given little thought. Obtaining information to determine the scope and nature of the minority representation in special education can be difficult and, once the information is available, it can be even more difficult to interpret.

A critical review of a district's special education enrollment, policies, procedures and practices is the cornerstone of self assessment. In Iowa many of the special education policies found in local school districts have been developed in conjunction with the local AEA and should be legally sound. If existing policies appear to be weak, incomplete, or make no mention of equity issues in special education, districts may wish to seek assistance from the AEA Director of Special Education. Model policies should be available from the Department of Education or the Iowa Association of School Boards (IASB).

In today's high tech world, gathering demographic information need not be particularly burdensome since much of the information can be obtained from Iowa's Information Management Systems (IMS) data collection system through the AEA.

Statistical Analysis

One of the most difficult and least appreciated aspects in the discussion of disproportionate minority representation in special education involves understanding enrollment statistics when presented as percentages. Disproportionate minority representation statistics are deceptively simple. In most cases, little regard is given to the difference between the *percent of program by group* and the *percent of group in program*. Presentations based on percent of program or disability category by group typically reveal significant disproportionate minority representation. In contrast, presentations based on percent of group in program or disability category typically show relatively small degrees of disproportionate minority representation and small proportions of minority students affected by the disproportionate minority representation. The nature and characteristics of disproportionate minority representation statistics must be presented carefully so that misunderstanding simple statistics is not the basis for policy changes or legal action. Therefore, it is essential to know what each percentage actually represents. Consider the following example:

Finding
The percent of elementary teachers who are women is 85%. Thus, the composition of the elementary teaching field is 85% women, 15 % men.

Question: Does this mean that a disproportionate number of women are teachers?

or

Does this mean that a disproportionate number of teachers are women?

Our informal observations are sufficient to conclude that while a large percentage of elementary teachers are women, only a small percentage of all women are teachers. In this example, even though the percent of a specific group (teachers) by gender (female) is very high (85%), the overall percent of gender (women) in that group (teachers) is very low (less than 2%). That **same** relationship also exists with minority representation in special education. Although minority students are over-represented in some programs, just as women are over-represented in elementary teaching, only a small percentage of all minority students are in special education, just as only a small percentage of all women are elementary teachers. Consider this example. A school district has an enrollment of 18,000 with a minority enrollment of 4,000 or 22%. The special education enrollment is 1,700, of which, 575 are minority and 1125 are non-minority. Minority students in special education represent 33.8% of the total group, but only 14.3% of the total minority students in the school. When considering all students enrolled, only 3.1% of the total school enrollment are minority special education students. Persons subscribing to the % by group theory would suggest that the minority enrollment is high, 33.8%, while persons supportive of the percent of group would claim that the 14.3% of all minority students found in special education is not high. For additional discussion of this topic see the companion document to this paper *Disproportionate Minority Representation in General and Special Education: Patterns, Issues, and Alternatives* (p. 49)

Using this example it is possible to understand the statistical confusion that exists over disproportionate minority representation in special education. As one views research literature on the topic, it is important to determine what statistical analysis is being applied. OCR and others who contend that great disparity exists among groups in special education tend to use the percent of program by group analysis. Chinn and Hughes (1987) and other educational researchers who tend to think that over-representation of minorities is often exaggerated are often proponents of the analysis of percent of group by program.

An initial assessment can be completed by analyzing the district's student data base. When conducting this assessment, it is important to distinguish between percent of program by group and percent of group in program. The special form found in Appendix A will assist those wishing to conduct a district review. Questions to address include:

1. What is the overall percent of minorities/non-minorities in the K-12 population?

2. What percent of minorities/non-minorities by program and group are in special education?

***NOTE: Programs** are general generally considered out of compliance by OCR when the percent of minority enrollment in a **specific program** exceeds the district minority enrollment by more than ten (10) percentage points.* (Equity Education Division-Iowa Department of Education.) For additional discussion on the OCR percentage see *Disproportionate Minority Representation in General and Special Education: Patterns, Issues, and Alternatives.*

3. What is the percent of minority/non-minority population by program and group in elementary, middle school, high school?

4. What is the percent of minority/non-minority within category/program model or level and disability groups specifically by LD, MD, BD, NC?

5. What percent of the district's minority/non-minority students are found within category/program model or level and disability groups specifically by LD, MD, BD, NC?

6. What is the percent of minority/non-minority students in the district by socio-economic level?

7. What percent of the district's minority/non-minority students in special education are from the low income families?

8. What percent of the district's minority/non-minority special education students are referred from each building? The referral patterns of specific teachers can also be enlightening. It is up to each building administrator to monitor this.

When minority enrollment in a specific program exceeds the district minority enrollment by more than ten (10) percentage points, or specific minority groups are not represented in sufficient or expected numbers within programs, persons responsible for overseeing the program should conduct an in-depth study to identify possible reasons for the disparity. Of particular interest is why the disproportionate representation occurred. Did it result from the culmination of decisions made about individual children or from decisions made about groups of children based on their race or ethnicity. An absolute prerequisite to nondiscrimination is equal treatment of students regardless of race, ethnicity, social class, or gender. Disproportionate minority representation in general and special education should be seen as a

symptom of ***possible*** discrimination that leads to focused examination of the entire process of screening, referral classification and placement of students in different general and special education programs. Some general questions for consideration include:

1. Could the use of the alternative educational practices and/or programs available to students with academic problems have inadvertently led to the disparity; i.e. peer tutoring, Chapter programs, ESL/LEP, learning strategies?

2. Are the general education activities offered by the district equally available to minority/ non-minority students throughout the district? Equal treatment is fundamental to nondiscriminatory treatment of children and youth. Evidence of unequal treatment of children and youth with comparable characteristics that produce diminished opportunities is discriminatory according to federal and state legal protections and requires immediate corrective action.

3. To what extent are general education teachers and administrators trained in how to make adaptations and modifications in the regular classrooms to assist students experiencing learning and/or behavior problems?

4. What does the data reflect as to the movement of minority/ non-minority students to both more restrictive placements and to lesser restrictive placements according to age, sex, grade, race and individual school?

5. What has been done to help building personnel develop sensitivity to cultural characteristics of various ethnic groups?

6. What is the minority make-up of the district's professional staff?

To be complete, the study should also include a review of the district's policies and procedures in five specific areas: general education intervention, referral, evaluation, placement and procedural safeguards. In conducting this review the district may find it helpful to include representatives from their minority community. Appendix B contains a check list which can be used to review the five procedural areas.

General Education Intervention

General education intervention is an important part of the education process and should be an integral part of each building's education plan. All students, regardless of race, should have equal access to the same general education opportunities. The format set forth in this document can also be used to evaluate ethnicity in other school programs. Program reviews by the Office of Civil Rights have shown that minority

students often have little or no access to general education activities and are frequently referred directly for evaluation. The following questions are helpful when assessing general education programs and activities:

1. Does the district use a general education intervention program?

2. Does the district promote active parental participation during general education intervention?

3. Does that program provide assistance to classroom teachers in the development of specific in-school regular education program modifications and interventions?

4. Is the effectiveness of the modifications and interventions reviewed?

5. Have educational intervention programs been implemented in all district schools? A building-by-building review of special education data may reveal that some schools programs are not as effective as others as noted by the disproportionate numbers of minority students enrolled.

6. Has sufficient inservice training on the general education intervention program been available to all regular classroom teachers, associates, and building principals?

7. What steps has the district taken to ensure that students of different races, ethnic groups, etc. get an equivalent amount and kind of access to the general education program?

Referral

Program reviews by OCR have shown that minority students are often referred to special education more quickly than non-minority students with similar problems. Only when the problems exhibited by the student continue to be resistant to general education interventions or require continued or substantial efforts that may include special education services, is a referral in order.

1. Does the district have a clear and concise written referral policy?

2. Does the district ensure consistent application of the referral criteria?

3. Does the district randomly review referrals to detect any pattern that might indicate a problem with disproportionately large numbers of children of one race referred by a teacher of another race?

4. Is the effectiveness of the referral policy reviewed?

Evaluation

Much of the litigation in the area of special education concerns evaluation of minority students. Since district personnel are ultimately responsible for conduct within the school setting, they would be wise to seek answers to the following questions from AEA staff knowledgeable in the field of evaluation. This inquiry will produce greater understanding of the evaluation process and help district personnel as they monitor their special education minority enrollments.

1. Have all tests and other educational materials been validated for the specific purposes for which they are used?

2. Are tests and other evaluation materials administered by trained personnel in conformity to the instructions provided by their producer?

3. Are tests, utilized by the district, free of cultural bias and tailored to assess specific areas of educational need and not merely designed to provide a single, general intelligence quotient?

4. Does the district have well-written criteria for the identification of students?

5. Have tests been selected to insure an accurate reflection of the student's aptitude or achievement, or whatever factor the test purports to measure?

6. In making placement decisions, has the district used a variety of informational sources such as:

   a. Aptitude tests
   d. Physical conditions
   b. Achievement tests
   e. Social or cultural back ground
   c. Teacher recommendations
   f. Adaptive behavior

7. Do those participating in the placement decision include persons who are knowledgeable about:

   a. The student
   b. The meaning of the evaluation
   c. Placement options

8. Is all information, regardless of its source, carefully considered and documented?

9. Are those conducting the evaluations sensitive to cultural differences between groups?

Services

Placement of students into special education should be done with thoughtful consideration. Regardless of the quality of the service provided, no student is well served if he or she is truly not eligible for service. Questions to address in this area include:

1. When racially disproportionate special education programs are identified, has the district determined that students are being provided appropriate programs and services which meet their unique educational needs?

2. When disproportionate representation exists among categories in special education, e.g. MD compared to BD, has the district examined its placement decisions to detect any possible differences by race and placement?

3. When racially disproportionate special education programs are identified, has the district taken timely action to review the appropriateness of the program for those enrolled?

4. What steps are taken by the district to ensure that racially isolated special education classes are not created within buildings?

Procedural Safeguards

Many parents of minority students are resistant to special education and often refuse needed services because they do not want their children labeled or don't understand the services being offered. It is critical that districts take steps to ensure that parents of minority children understand the special education process and potential benefits of participation. Procedural safeguards provide protection for both families and the educational community. When exercised, they provide a service for all concerned. Questions to be addressed in this area include:

1. Are all records relevant to the identification, evaluation, or educational placement of a disabled student made available to the student's parents?

2. Are district parents, staff and the community provided demographic information about the racial make-up of the special education programs in the district?

3. What steps are taken to ensure that parents of minority children understand the special education process and potential benefits of participation?

Other Important Factors

Other factors which may have an impact on disproportionate minority representation in special education include mobility, size of the district, impact of other special support programming, long term district enrollment trends, staff attitude toward specific minority groups, poverty level, building climate, tuition-in students, Department of Human Services (DHS) and district court placements, and

migrant, immigrant and refugees enrollments. When questions arise, consideration should be given to the possible impact any of these factors have in contributing to disproportionate minority representation not only in special education, but in other programs as well.

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Appendix A

Computation for Statistical Analysis of Disproportionate Representation of Minority Students in Special Education District Wide

Note: *An understanding of the distinction between the percent of program by group and the percent of group in program is crucial to understanding disproportionate minority representation in special education or other educational programming. (See p. 13 Statistical Analysis)*

> "Programs are generally considered out of compliance by OCR when minority enrollment in a specific program exceeds the district minority enrollment by more than ten (10) percentage points."

Race/Ethnicity codes:

(1) American Indian/Alaska Native
(2) Black/not Hispanic
(3) Asian/Pacific Islander
(4) Hispanic
(5) White/not Hispanic

Category/Program Model codes:

The filed of special education is in a dynamic state of change as educators move from the concept of special education as a "program" to special education as a "service." This guide has been developed to allow the reviewer to examine either programs or levels of service.

Resource Teaching Program (RC)
Special Class with Integration (SCI)
Self Contained Special Class with Little Integration (CC)
Self Contained Special Class (CS)

Level codes:

Level I is a level of service that provides specially deisgned instruction for a limited portion or part of the educational program.

Level II is a level of service that provides spcially designed instruction for a majority of the educational program.

Level III is a level of service that provides specially designed instruction for most or all of the educational program.

Disability Groups:

LD = Learning Disability
MD = Mental Disability
BD = Behavior Disorder
NC = Non Categorical*

* includes eligible special education students for whom a categorical label is not required.

General Demographic Information
Minority Representation in Special Education

1. Enter the district's total enrollment. _____
2. Enter the district's total minority enrollment. _____
3. Enter the overall percent of minorities/non-minorities in the K-12 population.
   Minority _____% Non-Minority _____%
4. Enter the number of students enrolled in special education. _____
5. What percent of the district's total enrollment is enrolled in special education? _____
6. Enter the percent of minorities/non-minorities in special education.
   Minority _____% Non-Minority _____%

Question: By what percentage, if any does the total minority percentage in special education exceed the district minority enrollment?
_____

7. Enter the number of minority/non-minority population in elementary, middle school, high school.

	Minority	Non-minority
Elementary	_____	_____
Middle school	_____	_____
High school	_____	_____

8. Enter the percent of minority/non-minority within disability groups, specifically LD, MD, BD, by category/program model or level.

Elementary or by level (please specify)		Minority	Non-minority
LD RC	_____	_____	_____
LD SCI	_____	_____	_____
LD CC	_____	_____	_____
LD CS	_____	_____	_____

Question: By what percentage, if any does the total minority percentage in special education exceed the district minority enrollment?

_____

Elementary or by level (please specify)		Minority	Non-minority
MD RC	_____	_____	_____
MD SCI	_____	_____	_____
MD CC	_____	_____	_____
MD CS	_____	_____	_____

Question: By what percentage, if any does the total minority percentage in special education exceed the district minority enrollment?

_____

Elementary or by level (please specify)	Minority %	Non-minority %
BD RC _____	_____	_____
BD SCI _____	_____	_____
BD CC _____	_____	_____
BD CS _____	_____	_____

Question: By what percentage, if any does the total minority percentage in special education exceed the district minority enrollment?

_____

Elementary or by level (please specify)	Minority	Non-minority
NC RC _____	_____	_____
NC SCI _____	_____	_____
NC CC _____	_____	_____
NC CS _____	_____	_____

Question: By what percentage, if any does the total minority percentage in special education exceed the district minority enrollment?

Middle School or by level (please specify)	Minority	Non-minority
LD RC _____	_____	_____
LD SCI _____	_____	_____
LD CC _____	_____	_____
LD CS _____	_____	_____

Question: By what percentage, if any does the total minority percentage in special education exceed the district minority enrollment?

_____

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Middle School or by level (please specify)	Minority	Non-minority
MD RC _____	_____	_____
MD SCI _____	_____	_____
MD CC _____	_____	_____
MD CS _____	_____	_____

Question: By what percentage, if any does the total minority percentage in special education exceed the district minority enrollment?

_____

Middle School or by level (please specify)	Minority	Non-minority
BD RC _____	_____	_____
BD SCI _____	_____	_____
BD CC _____	_____	_____
BD CS _____	_____	_____

Question: By what percentage, if any does the total minority percentage in special education exceed the district minority enrollment?

_____

Middle School or by level (please specify)	Minority	Non-minority
NC RC _____	_____	_____
NC SCI _____	_____	_____
NC CC _____	_____	_____
NC CS _____	_____	_____

What is the percent of minority/non-minority within disability groups, specifically LD, MD, BD by category/program model or level?

High School or by level (please specify)		Minority	Non-minority
LD RC	_____	_____	_____
LD SCI	_____	_____	_____
LD CC	_____	_____	_____
LD CS	_____	_____	_____

Question: By what percentage, if any does the total minority percentage in special education exceed the district minority enrollment?

_____

High School or by level (please specify)		Minority	Non-minority
MD RC	_____	_____	_____
MD SCI	_____	_____	_____
MD CC	_____	_____	_____
MD CS	_____	_____	_____

Question: By what percentage, if any does the total minority percentage in special education exceed the district minority enrollment?

_____

High School or by level (please specify)		Minority	Non-minority
BD RC	_____	_____	_____
BD SCI	_____	_____	_____
BD CC	_____	_____	_____
BD CS	_____	_____	_____

Question: By what percentage, if any does the total minority percentage in special education exceed the district minority enrollment?

_____

High School or by level (please specify)		Minority	Non-minority
NC RC	_____	_____	_____
NC SCI	_____	_____	_____
NC CC	_____	_____	_____
NC CS	_____	_____	_____

Question: By what percentage, if any does the total minority percentage in special education exceed the district minority enrollment?

_____

9. Enter the percent of each racial/ethnic group within the district by level.

Race/Ethnicity codes:	Elem.	MS	HS
(1) American Indian/Alaska Native	_____	_____	_____
(2) Black/not Hispanic	_____	_____	_____
(3) Asian/Pacific Islander	_____	_____	_____
(4) Hispanic	_____	_____	_____
(5) White/not Hispanic	_____	_____	_____

Enter the percent of each minority group in special education by level in the district.

Race/Ethnicity codes:	Elem.	MS	HS
(1) American Indian/Alaska Native	_____	_____	_____
(2) Black/not Hispanic	_____	_____	_____
(3) Asian/Pacific Islander	_____	_____	_____
(4) Hispanic	_____	_____	_____
(5) White/not Hispanic	_____	_____	_____

Does any group appear to be disproportionately represented at any level?

10 . Enter the percent of each minority group by category/program model if your district is currently providing services in a traditional manner. Or by level if your district has moved to its own District Developed Delivery System.

Elementary

Race/Ethnicity codes:

(1) American Indian/Alaska Native	or by level (please specify)	NC	LD	MD	BD
RC	_____	____	_____	_____	_____
SCI	_____	____	_____	_____	_____
CC	_____	____	_____	_____	_____
CS	_____	____	_____	_____	_____

(2) Black/not Hispanic	or by level (please specify)	NC	LD	MD	BD
RC	_____	____	_____	_____	_____
SCI	_____	____	_____	_____	_____
CC	_____	____	_____	_____	_____
CS	_____	____	_____	_____	_____

(3) Asian/Pacific Islander or by level (please specify)		NC	LD	MD	BD
RC	_____	____	_____	_____	_____
SCI	_____	____	_____	_____	_____
CC	_____	____	_____	_____	_____
CS	_____	____	_____	_____	_____

(4) Hispanic or by level (please specify)		NC	LD	MD	BD
RC	_____	____	_____	_____	_____
SCI	_____	____	_____	_____	_____
CC	_____	____	_____	_____	_____
CS	_____	____	_____	_____	_____

(5) White/not Hispanic or by level (please specify)		NC	LD	MD	BD
RC	_____	____	_____	_____	_____
SCI	_____	____	_____	_____	_____
CC	_____	____	_____	_____	_____
CS	_____	____	_____	_____	_____

Is any group disproportionately represented in any special program?

Enter the percent of each minority group in NC, LD, MD, and BD by category/program model or level.

Middle School

Race/Ethnicity codes:

(1) American Indian/Alaska Native or by level (please specify)		NC	LD	MD	BD
RC	_____	____	_____	_____	_____
SCI	_____	____	_____	_____	_____
CC	_____	____	_____	_____	_____
CS	_____	____	_____	_____	_____

(2)	Black/not Hispanic or by level (please specify)		NC	LD	MD	BD
	RC	_____	____	_____	_____	_____
	SCI	_____	____	_____	_____	_____
	CC	_____	____	_____	_____	_____
	CS	_____	____	_____	_____	_____
(3)	Asian/Pacific Islander or by level (please specify)		NC	LD	MD	BD
	RC	_____	____	_____	_____	_____
	SCI	_____	____	_____	_____	_____
	CC	_____	____	_____	_____	_____
	CS	_____	____	_____	_____	_____
(4)	Hispanic or by level (please specify)		NC	LD	MD	BD
	RC	_____	____	_____	_____	_____
	SCI	_____	____	_____	_____	_____
	CC	_____	____	_____	_____	_____
	CS	_____	____	_____	_____	_____
(5)	White/not Hispanic or by level (please specify)		NC	LD	MD	BD
	RC	_____	____	_____	_____	_____
	SCI	_____	____	_____	_____	_____
	CC	_____	____	_____	_____	_____
	CS	_____	____	_____	_____	_____

Is any group disproportionately represented in any special program?

Enter the percent of each minority group in NC, LD, MD, and BD by category/program model or level.

High School

Race/Ethnicity codes:

(1) American Indian/Alaska Native or by level (please specify)		NC	LD	MD	BD
RC	_____	____	_____	_____	_____
SCI	_____	____	_____	_____	_____
CC	_____	____	_____	_____	_____
CS	_____	____	_____	_____	_____

(2) Black/not Hispanic or by level (please specify)		NC	LD	MD	BD
RC	_____	____	_____	_____	_____
SCI	_____	____	_____	_____	_____
CC	_____	____	_____	_____	_____
CS	_____	____	_____	_____	_____

(3) Asian/Pacific Islander or by level (please specify)		NC	LD	MD	BD
RC	_____	____	_____	_____	_____
SCI	_____	____	_____	_____	_____
CC	_____	____	_____	_____	_____
CS	_____	____	_____	_____	_____

(4) Hispanic or by level (please specify)		NC	LD	MD	BD
RC	_____	____	_____	_____	_____
SCI	_____	____	_____	_____	_____
CC	_____	____	_____	_____	_____
CS	_____	____	_____	_____	_____

(5) White/not Hispanic	or by level (please specify)	NC	LD	MD	BD
RC	_____	___	_____	_____	_____
SCI	_____	___	_____	_____	_____
CC	_____	___	_____	_____	_____
CS	_____	___	_____	_____	_____

Is any group disproportionately represented in any special program?

Enter the percent of each minority group in NC, LD, MD, and BD by category/program model or level.

11. Enter the percent of minority/non-minority students in the district by social-economic level. (Percent of students eligible for free and reduced lunch.)

	eligible	not eligible
Elementary		
Minority	_____	_____
Non-minority	_____	_____
	eligible	not eligible
Middle School		
Minority	_____	_____
Non-minority	_____	_____
	eligible	not eligible
High School		
Minority	_____	_____
Non-minority	_____	_____

12. Enter the percent of minority/non-minority students in special education by social-economic level. (Percent of special education students eligible for free and reduced lunch.)

	eligible	not eligible
Elementary		
Minority	_____	_____
Non-minority	_____	_____
	eligible	not eligible
Middle School		
Minority	_____	_____
Non-minority	_____	_____
	eligible	not eligible
High School		
Minority	_____	_____
Non-minority	_____	_____

Is the minority group disproportionately represented in the program?

Appendix B

Check List for Review of the Five Procedural Areas

Part two of a self evaluation should include a review of the district's policies and procedures in five specific areas. These include general education intervention, referral, evaluation, placement and procedural safeguards.

General Education Intervention

1. Does the district use a specific general education intervention program?

   Use? Yes _____ No _____
   Require? Yes _____ No _____

   If yes, identify where teachers and others interested in the process can find a written description of the program.

2. Does the district or intermediate support agency provide assistance to regular classroom teachers in the development of specific in-school regular education program modifications and interventions?

   District Yes _____ No _____
   Agency Yes _____ No _____

   If yes, describe the activities conducted to accomplish this undertaking.

3. Is the effectiveness of the modifications and interventions reviewed?

   Modification Yes _____ No _____
   Intervention Yes _____ No _____

   If yes, describe when and how this is accomplished.

4. Have educational intervention programs been implemented in all district schools? (A building-by-building review of data may reveal that some schools programs are not as effective as others as noted by the disproportionate numbers of minority students enrolled.)

   Yes _____ No _____

   If yes, describe how the effectiveness of those building interventions is reviewed?

5. Describe the steps taken by the district to ensure that students of different races, ethnic groups, etc. get an equivalent amount and kind of access to the general education program.

Referral

Referrals are greatly improved when districts can answer "yes" to each of the following questions.

1. Does the district have a clear, concise written referral policy?

   Yes _____ No _____

   If yes, where is it found?

   If no, what steps are being taken to develop such aplan?

2. Does the policy ensure consistent application of the referral criteria?

   Yes _____ No _____

   If yes, describe how referrals are monitored.

3. Does the policy require district personnel to randomly review referrals to detect any pattern that might indicate a problem with disproportionately large numbers of children of one race referred by a teacher of another race?

   Yes _____ No _____

If yes, describe how this is accomplished.

If no, how can this be accomplished?

4. Is the effectiveness of the referral policy reviewed?

   Yes _____ No _____

   If yes, describe how that effectiveness is monitored.

   If no, describe how an effective policy can be developed and implemented.

Evaluation

This inquiry will produce greater understanding of the evaluation process and help district personnel as they monitor their special education minority enrollments.

1. Identify all tests and other educational materials used in the evaluation process. Has each been validated for the specific purposes for which it is used?

   Yes _____ No _____

2. Are tests and other evaluation materials administered by trained personnel in conformance with the instructions provided by their producer?

   Yes _____ No _____

3. Are all the tests utilized by the district tailored to assess specific areas of educational need and not merely designed to provide a single, general intelligence quotient?

   Yes _____ No _____

4. Does the district have well-written criteria for the identification of special education students in its policy or procedures manuals?

   Yes _____ No _____

   If yes, where is it located and how do interested persons gain access to it?

5. Have tests been selected to ensure an accurate reflection of the student's aptitude or achievement, or whatever factor the test purports to measure?

   Yes _____ No _____

6. In making placement decisions, does the district use a variety of informational sources including:

   a. Aptitude tests
   b. Achievement tests
   c. Teacher recommendations
   d. Physical conditions
   e. Social or cultural background
   f. Adaptive behavior
   g. Past educational history

7. Are all district personnel who participate in placement decisions knowledgeable about:

   a. The student — Yes ____ No ____

   b. The meaning of the evaluations — Yes ____ No ____

   c. Placement options — Yes ____ No ____

   d. Family perspectives — Yes ____ No ____

8. Is all information, regardless of its source, carefully considered and documented?

   Yes ____ No ____

9. Are those conducting the evaluations sensitive to cultural differences between groups?

   Yes____ No ____

10. Describe the steps taken by the district to ensure that students of different races, ethnic groups, etc. are provided an educational evaluation which takes into account their culture.

Placement

The decision to place students in special education carries with it life time implications that are not easily overcome. Questions to address in this area include:

1. What steps does the district take to regularly review the racial composition of its special education programs?

2. When racially disproportionate special education programs are identified, how does the district determine that students are being provided appropriate programs and services which meet their unique educational needs?

3. When disproportionate representation exists among categories in special education, e.g. MD compared to BD, how does the district examine its placement decisions to detect any possible differences by race and placement?

4. When racially disproportionate special education programs are identified, what type of timely action is taken to review the appropriateness of the program for those enrolled?

Procedural Safeguards

Procedural safeguards provide protection for students, parents and educators alike.

1. Are all records relevant to the identification, evaluation, or educational placement of a disabled student made available to the student's parents?

   Yes ____ No ____

2. Are district parents, staff and the community provided demographic information about the racial make-up of the special education programs in the district?

   Yes _____ No _____

3. What steps are taken to ensure that parents of minority children understand the special education process and potential benefits of participation?

Appendix C

Minority Representation in Special Education by Building

1. What are the percentages of minority/non-minority special education students referred on a by-building basis?

Special Education Students By Ethnicity

Race/Ethnicity codes:

(1) American Indian/Alaska Native
(2) Black/not Hispanic
(3) Asian/Pacific Islander
(4) Hispanic
(5) White/not Hispanic

Referring Building/Home School	minority				non-minority
	1	2	3	4	5
1. _____	___	___	___	___	___
2. _____	___	___	___	___	___

2. What are the percentages of minority/non-minority students in each building who receive General education interventions?

Referring Building/Home School	minority				non-minority
	1	2	3	4	5
1. _____	___	___	___	___	___
2. _____	___	___	___	___	___

3. What percent of each of the above groups is referred on for a full and individual evaluation?

Referring Building/Home School	minority				non-minority
	1	2	3	4	5
1. _____	___	___	___	___	___
2. _____	___	___	___	___	___

4. What percent of each of the above groups was determined to be eligible to receive services?

Referring Building/Home School	minority				non-minority
	1	2	3	4	5
1. _____	___	___	___	___	___
2. _____	___	___	___	___	___